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To cite this article: Wing, M. & Saboda, J. (2018). Charter schools: The destruction of teacher certification in New York State. *Texas Education Review*, Fall 2018 Special Issue, 31-49.
http://doi.org/10.15781/T2VT1H87N

Charter Schools:
The Destruction of Teacher Certification in New York State

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In an era of increasing teacher accountability, charter schools are finding ways to circumnavigate the restrictions placed on public schools in regard to teacher certification. These efforts purportedly are being made to fill teacher shortages in high need areas, but realistically allow charter school teachers to avoid expensive and time-consuming training and certification procedures. This paper will examine and elaborate on the negative impacts of these maneuvers in New York State. It concludes with a discussion of how the lack of teacher certification will affect the most vulnerable populations attending these charter schools while contributing to the permanence and reinforcement of socioeconomic structural inequalities.

Keywords: *charter schools, teacher certification, accountability, deskilling, culturally responsive teaching*

In June 2016, the New York State Legislature enacted Education Law §355(2-a), which essentially stated that charter schools are empowered and given greater flexibility in regard to standard regulations that public schools are obligated to follow. This leeway can apply to important issues such as teacher certification requirements for their teaching staff (New York State Education Department, 2017). This is a critical policy that impacts students, teachers, administrators and community members due to the changes in regulation and language therein. Education Law §355(2-a) gives State University of New York (SUNY) and Charter School Committees, two important governing bodies that shape the qualifications and requirements of the teaching force in New York, the power to propose certification requirements and hire teachers who potentially have minimal pedagogical background (both in terms of knowledge or time in the classroom), practical experience, and education in the teaching field. While some studies have found that initial certification status does not have an immense impact on teacher effectiveness (Schuls & Trivitt, 2015), experience in the classroom and interactions with students have been found to be instrumental in increasing a teacher's effectiveness (Kane, Rockoff, & Staiger, 2007). Given that this new legislation would negate the required classroom experience time traditionally required for public school teachers, charter school teachers certified in this alternative manner would lack that experience, thus negatively impacting their teaching experience and effectiveness.

While this particular piece of legislation may seem limited in its immediate scope and impact, the implications for further denigrating and weakening the professionalism and training of the teaching force reflects an alarming trend in education that continues and strengthens an already oppressive and discriminatory system. In order to fully grasp, decode, and understand not only this legislation but its potential impacts (both positive and negative), a multilevel framework was used to examine the aforementioned education law. In doing so, we focused on the macro effects of statewide implications of Education Law §355 (2-a) and micro implications on individual teachers and students, as well as parents and community members. To guide our analysis, we looked at the potential impacts of the implementation of Education Law§355 (2-a) on the socioeconomic justice issues faced by charter school student populations and how these certification requirements (or lack there-

of) affect the profession of teaching and teacher training programs, especially in heavily regulated states like New York.

Background

Charter schools have had a unique impact on the United States educational system since the 1983 report *A Nation at Risk*, published under President Ronald Reagan's National Commission on Excellence in Education. It painted an alarming picture of the failure of the American public education system, creating a sense of urgency that students were not being educated properly to enter a competitive global marketplace (Redd, LeClair, & Goessling, 2014). The concept of alternative forms of public education originated in 1974 under Ray Budde, education professor at the University of Massachusetts Amherst. It was based on structural and pedagogical concerns he had about the public education system, which later were echoed and verified in the *A Nation at Risk* report. As one means to address what was viewed as the failing public school system illustrated in this report, charter schools were created and originally implemented in Minnesota in 1991 (Kolderie, 2015) to provide alternative educational opportunities and choices. They were publicly funded and non-discriminatory in their entrance and admission requirements. Charter schools also were devised with the allowance for more pedagogical experimentation and innovation. In their original design, charter schools were managed by not-for-profit board of trustees instead of traditional boards of education,[1] but were to be held to time-constrained evaluations, on which their existence depended. Some charter schools also needed to exhibit satisfactory achievement of established goals and standards every five years to have their charter renewed and continue to operate as an educational institution (New York State Education Department Charter School Office, 2018).

In 1988, Albert Shanker, longtime president of the American Federation of Teachers (AFT), credited Budde's restructured system as an inspiration (Kolderie, 2015) and proposed the establishment of new publicly funded, independently managed schools, which was in direct opposition to the teachers' unions stance on charter schools today (Jason, 2017). These charter schools originally were viewed as positive alternatives to failing schools because of the restructured hierarchies, pedagogical flexibility, encouraged innovation, and heightened accountability standards. Yet, the current opinion held by many teacher unions' and their supporters are that charter schools are siphons of public funds, which are not held to the same standards of accountability and rigor, and thus, do not bear the same cost of failure. Additionally, many teachers' unions view the increasing privatization and opaque transparency of spending and curriculum of charter schools as damaging to charter school students and, thus, opposite of the original intention of charter schools (Gooray, 2018). These individuals and unions also maintain that charter schools are less stable and more prone to waste and fraud as opposed to heavily regulated and monitored public schools (NEA Policy Statement on Charter Schools, 2017).

Over the past three decades, the number of charter schools has skyrocketed, with many opening in high needs areas to address the perceived failures of public schooling. More than 6900 charter schools currently are in operation nationwide, and much of that growth has occurred in the

[1] While originally operated by not-for profit boards, some states have allowed for-profit entities to manage charter schools, although this number remains less than 15% of charter schools nationally (National Alliance for Public Charter Schools, 2018).

last decade (Prothero, 2017). Given the national trends and continued growth of charter schools in New York State, Education Law §355 (2-a) brought months of controversy about maintaining a highly qualified and prepared teaching workforce and protecting vulnerable populations of students, prior to the decision made in October 2017.

In October 2017, the SUNY Charter Schools Committee approved a plan that would give jurisdiction to SUNY and the Charter Schools Committee to certify their own charter school teachers. The State Education Department and many teachers' unions quickly filed lawsuits after the passage of the bill, legally delineating the controversies, such as lowered certification standards and negative impacts of having unqualified teachers leading high needs classrooms. The New York State Supreme Court ruled in favor of the State Education Department, deeming these charter schools' certification processes inadequate and underqualified. The State University of New York (SUNY) Charter School Commission declared its intent to fight the ruling and currently is filing appeals at the writing of this article (Disare, 2018).

A major justification for this decision was based on the critical teacher shortage affecting schools in New York State. Over 80% of charter schools in New York serve students living in New York City, and the majority of other charter schools exist in high-needs cities like Buffalo, Syracuse, and Rochester (NYSED Charter School Office, 2018). Through this pivotal decision, the requirements for teacher certification were diminished, and low-income, minoritized, and students of other backgrounds (primarily within the aforementioned urban areas) in the most need of a quality education would be instructed by teachers with the least experience and qualifications. Urban areas such as New York City experience high teacher attrition, up to 40% every year (Zimmerman, 2017), which can lead not only to teacher shortages, but educational instability and uncertainty experienced by the students. Many urban students already face challenges such as poverty, limited English proficiency, poor health, and family instability (National Center for Education Statistics, 2018). These challenges should be addressed by qualified teachers who are trained and able to support their students and offer relevant curriculum and instruction. Although not as comprehensive and multicultural as their training should be, traditionally certified teachers must complete a more rigorous, time intensive, and pedagogically focused pathway in order to gain their certification, the specific requirements of which will be discussed in subsequent sections.

Sociopolitical and Economic Issues

Nationally, the charter school movement receives support from both major political parties (Republican and Democrat) but for different declared reasons. Whereas Republicans tend to promote the choice and competitive nature charter schools introduce as amenable to their traditional party views, Democrats publicly support charter schools as avenues of potential reform that would be otherwise unavailable in the public school sector (Reckhow, Grossman & Evans, 2014). Given that New York is a strongly held Democratic political arena, the reforms and suggestions regarding this certification issue must be examined for motivation and results. What remains crucial to realize, however, is that this support is not simply following party lines in either Republican or Democratic situations – as Ravitch, a former staunch supporter of the charter school movement points out, the support instead is indicative of the insipid control of the neoliberal movement. Accurately identifying this dangerous trend, Ravitch (2013) stated:

> Our nation is heading in a perilous direction, toward the privatization of education, which will increase social stratification and racial segregation. Our civic commitment to education for all is eroding…the public schools are a public responsibility, not a consumer good. (par. 15)

Ravitch's intense statement identified the importance of maintaining a critical lens when examining these issues. While both political parties may claim logic and reason as the basis for supporting the current charter school movement (which can include the alternative certification path discussed in this paper), in reality, neoliberal ideology influences both sides of the spectrum to support structures that maintain White hegemonic supremacy.

The subtle influence and control of neoliberalism (Harvey, 2017) truly rears its head when examining these changes suggested and supported by Democrats. While their goal appears to be providing students with adequately staffed alternatives to their public school options, upon further examination, it becomes clear that their decisions are not altogether altruistic, but instead are closely tied to their political leanings. One of the major issues that opponents of charter schools (and this particular law) have is that policies and procedures made in charter schools often are economically or politically motivated and dictated, as opposed to being structured around the needs of the student population that they are meant to serve (Strauss, 2017). This approach, of course, flies in the face of the original intention and justification of the charter school movement and demonstrates that legislation such as the alternative pathway to certification only furthers the interests of political and economic beneficiaries and shortchanges student populations. The motivations and political advantages to be gained by those making these decisions must be questioned, and the realistic benefits that students and families will actually receive also should be questioned when evaluating policies such as this alternative pathway.

Two major education issues that need to be addressed are equitable access to strong educators and school integration. Students, especially those who are racially minoritized, learners of English as a New Language (ENL), and those with disabilities, who lack sufficient educational opportunities from the onset, are at an extreme disadvantage if they also have teachers who are underqualified for the position. In New York State, African American students constitute 60% of charter school enrollment (Prothero, 2016), in which 76% of these students are eligible for subsidized school meals, a proxy for low income households, compared to 51% of traditional public school students (Center for Research on Education Outcomes, 2017).

With the continuous growth of charter schools in New York State and the number of African American students in poverty attending such schools, teachers need to be highly qualified and culturally responsive (Sleeter & Owuor, 2011). In 2016, the National Association for the Advancement of Colored People (NAACP) called for a moratorium on charter school growth due to "increased segregation, high rates of suspensions and expulsions for black students, fiscal mismanagement, and poor oversight in charter schools" (Prothero, 2016, n.p.). Schools such as the Knowledge is Power Program (KIPP), Success Academy Charter (one of the entities appealing the State Supreme Court's decision), and Achievement First are creating structures for marginalized students, wherein they pride themselves on closing the achievement gap between African American and Caucasian students. However, these are the same schools that are defunding and devaluing the public school system while creating a more segregated space for African American students, thus fulfilling the neoliberal agenda (Harvey, 2007). In addition, within these charter schools, there are teachers

who, under the proposed certification requirements, would have less of a pedagogical and content rich background to address these marginalized students' unique needs within the educational system.

In the 2016-2017 school year, New York State had a total number of 267 charter schools and 132,100 students in attendance with 4% growth in anticipation of 16 new charters opening (National Alliance for Public Charter Schools, 2017). Within these schools there are teachers who can be certified through the State of New York by completing a Master's or Bachelor's degree with at least a 3.0 GPA or "have the necessary knowledge and skills to successfully complete the program" (Bump, 2017, p. 1). To complete the program, the teacher only needs 160 hours of classroom instruction, which equals a month of instruction. In addition, the teacher needs 40 hours of field experience, which equals a week of student teaching while taking one final assessment (either the Educating All Students test or an exam, "which measures, at a minimum, all required elements of the EAS test") (Bump, 2017, p. 1).

Through Education Law §355(2-a), the teacher could be certified within one year as opposed to the minimum of 81 semester hours (which include at least 30 in liberal arts and sciences, 30 in the certificate title sought and 21 in pedagogy) required for state certification (New York State Education Department, 2017). Teachers in New York typically are required to take three certification exams, including a content test and the edTPA, which requires an extensive portfolio of work (Disare, 2017). Most disparagingly, in current teacher preparatory programs, teachers rarely are taught about cultural responsiveness (Lowenstein, 2009). As in most teacher education programs, multicultural education is limited to one mandatory course or simply taken as an elective. By depreciating the already problematic teacher certification process, Education Law §355(2-a) would employ teachers who have minimal to no experience with culturally responsive teaching and diverse learners.

> According to the Education Trust-New York (2017):
>
> For students of color, having a teacher of color during their educational experience can have a positive impact on improving student performance in reading and math, increasing the likelihood that Black students are identified as gifted, reducing suspension rates, decreasing dropout rates, and improving students' hopes of attending college. (p. 2)

The public school teaching force in New York primarily is White (76%), with African-American and Latino/a teachers filling much smaller proportions (10% and 9% respectively) (Boser, 2014). By contrast, the student population in public schools of New York is much more diverse, with White students occupying only 45% of the population, and Hispanic or Latino/a (a rapidly increasing population) composing 26%, and African-Americans being the third largest group at 18% (New York State Department of Education, 2017). A diversity index (measuring the gap between the teaching force composition compared to the student population) created by Boser (2014) found that New York had a diversity index of 27 and fell behind 28 other states in this evaluation.

Charter schools in New York State have 33% African American teachers, 46% African American assistant principals and 36% African American principals (Education Trust, 2017). Across the state, there are 1,157 students or 2% that attend a charter school with no African American teachers. Latino/a students are even worse off, with 1,613 students or 5% that attend a charter school with no Latino/a teachers (Education Trust, 2017).

The alternative certification pathway for charter schools only would serve to exacerbate this gap and create more inequality. Therefore, teacher diversity and requirements surrounding teacher

certification need to be strengthened, not weakened. It is necessary, even crucial, to include culturally responsive practices in the core, required classes for teacher candidates in college teacher preparatory programs. By the implementation of Education Law §355(2-a), proponents argue that they will now have the ability to hire teachers more readily in charter schools and be able to choose from an array of individuals during this time of teacher shortage. However, diminishing the quality of the teacher certification process ultimately will have a negative effect on strengthening diversity components that prepare teacher candidates to educate students of color or students from low-income backgrounds. Furthermore, an increased disrespect for the teaching profession will exacerbate the teacher shortage and the accessibility of qualified teaching candidates, as well as working conditions, professional support, and training for in-service educators.

History of Teacher Certification in New York

Historically, teacher certification in New York State was considered among the most rigorous with reciprocity in almost all other states (New York State Board of Regents, 2017). With increasing calls for accountability in the early 2000s and a public discontent with teachers who presumably had few requirements for recertification or professional development hours, systematic changes were implemented to address this lack of continuing accountability (NYSUT Media Relations, 2018). Many teachers certified in the latter portion of the 20th and early 21st century were required to obtain a provisional certificate after completing an approved teacher education program and after five years would obtain a permanent certification. This would guarantee their ability to teach for their lifetime with few requirements for renewal (usually an occasional fee) (New York State Education Department, 2017). This timeline has since shifted, and teachers now are granted an initial certificate after completing a teacher education program, workshops, and appropriate student teaching experience; this is followed by a professional certificate after obtaining a Master's degree and three years of paid teaching experience, among other pedagogical trainings and workshops (New York State Education Department Office of Teaching Initiatives, 2017).

With the introduction of the aforementioned mandatory professional certificate, New York State requires certified teachers to fulfill requirements and prove continuing professional development every five years (New York State Office of Teaching Initiatives, 2017). This effort to convince the public of accountability and the effectiveness of teachers and teacher preparatory programs has continued with the introduction of the edTPA program, despite inconclusive evidence that increasing requirements actually lead to better prepared teachers (Schuls & Trivitt, 2018). edTPA was developed by educators at Stanford University, and endeavors to implement a "performance-based, subject-specific assessment and support system used by teacher preparation programs throughout the United States to emphasize, measure and support the skills and knowledge that all teachers need from Day 1 in the classroom" (Pearson Education, Inc., 2018, p. 2). Among the requirements, a portfolio demonstrating thoughtful and reflective teaching practices as well as video recorded lessons to provide active proof of pedagogical skills in action were created to answer the call for more rigorous teacher preparation. These requirements are not replicated in the alternative charter school certification pathway focused on herein, nor is there any comparable feature present in that alternate certification.

Most alternative pathways recognized by New York State Department of Education to teacher certification require more field experience and pedagogical coursework than the charter school certification route and proposed charter school pathway. These alternative pathways focus more on certification of potential teachers who already hold a Bachelor's degree and generally involve an accelerated teacher education program as well as similar assessments to the traditional pathway, which results in the equivalent of an initial certificate (New York State Office of Teaching Initiatives, 2017). The new legislation allowing charter schools to create their own in-house certification requirements would circumvent these new and continually reformed requirements demanded of public school teachers. Realizing the potential damage and imminent danger of placing underqualified and under-trained teachers in the classroom, the New York State Education Department and the Board of Regents filed complaints with the Supreme Court in Albany to challenge this new legislation, stating:

> by allowing respondents to employ inexperienced and unqualified individuals to teach children in SUNY-authorized charter schools, the challenged regulations will effectively erode the quality of teaching in New York State and negatively impact student achievement particularly for children who are most in need. (Clukey, 2018, par.4)

This complaint was upheld by the State Supreme Court, resulting in a temporary pause in the implementation of the charter school certification process (Disare, 2018); however, as previously mentioned, the SUNY Charter School Committee and many charter schools already started the process of appealing this ruling.

Deskilling and Whiteness in the Teaching Profession

Given the current research on teacher preparation and its correlation to the deskilling of teachers (Apple, 1982), Education Law §355(2-a) only would further exacerbate the lack of training and increase the amount of underprepared teachers in the New York State workforce. Such deskilling is centered around the goal of legitimizing and maintaining control of knowledge and the economy (Apple, 1982), a goal that currently is supported and maintained by neoliberalism (Harvey, 2017, p. 22). Neoliberalism is a school of thought which supposedly endeavors to increase free market capitalism and, thus, increase opportunities for all, while in reality the policies and practices that neoliberals support subtly, but powerfully, reinforce social and economic systems that oppress and disadvantage large groups of the population. This deskilling, which essentially creates teachers trained to reinforce the standardized system instead of innovate, create, and challenge social injustice, transcends teacher preparation and enters into the arena of curriculum, including modules, boxed sets, appropriate behaviors/skills and scripted lessons, to which both charter school and state-certified teachers are subjected (Apple, 1982). This deskilling is damaging not only in the sense that teacher preparation programs underprepare teachers for the challenges and students they will connect within the classroom, but it also creates a teaching force that reiterates and empowers an oppressive socioeconomic and education system through scripted curricula and ineffective professional development. Thus, even though charter schools have been created and endeavor to set themselves apart as laboratories of innovation and creativity, these new certification processes do little to counteract this deskilling trend or to support educators who would engage in creative or innovative approaches. As a result, not only are teachers taking this shortened charter school pathway

losing any redeemable or valuable training offered in teacher training programs, but they also are subjected to neoliberal-controlled curriculum, high-stakes testing, and requirements once in the classroom (Au, 2011), thus further disabling them to adequately and effectively address the needs of their students.

Studies of teacher preparation support this argument, focusing on the lack of multicultural training within traditional teacher education programs and the major voids in social knowledge and awareness for future generations (Sleeter & Owuor, 2011). If this deskilling and lack of multicultural training is present within lengthy teacher education programs, a reasonable conclusion can be drawn that shortened trainings, like the ones seen in charter schools, will have an even greater impact on both teachers and students. Teachers hired under this shortened certification process will lack the tools, training, and self-reflexive and critical pedagogy required in order to combat this increased deskilling and Taylorization (Au, 2011).

Through Taylorization, the factory system essentially is implemented in education, and focuses more on efficient output than addressing social and economic inequalities. For the populations that charter schools serve, which tend to be the historically disadvantaged groups, including students from low-income, minoritized, or high-needs backgrounds in primarily urban areas, this efficiency output focus can be severely damaging and result in maintenance of inequity and oppression. As every state department of education's responsibility is to provide an equal and adequate education for the students within their state boundaries, trends like charter school certification pathways should warrant close attention, scrutiny, and critique.

Multicultural training is essential to address historic oppression and inequity within the education system but can be rendered completely ineffective if the inherent, yet subtle, counterforces at work are not acknowledged and addressed. The primary counterforce to multicultural education is the issue of Whiteness, which plays a central role in the concerning trend of providing alternate certification pathways that require less pedagogical and cultural preparation. Given that this new sector of the teaching force closely mirrors the trend of the general teaching force, which currently is composed of teachers that are 80% White, 77% female, (Loewus, 2017) and also is comprised of mostly individuals in the middle class, the same concerns with the centrality of Whiteness in their worldview and pedagogy will be reflected. McIntyre (2002) concluded that White upper/middle-class prospective teachers all "construct and experience 'whiteness' as natural and involuntary, which often leads to a reification of stereotypes and a privileging of the status quo" (p. 44). This mindset also includes a denial of personal responsibility and a lack of understanding of the oppressiveness of the centrality of Whiteness. Additionally, circumnavigating the traditional teacher training includes missing even the token multicultural training, which according to Lowenstein (2009), rarely occurs past preparation experience. This approach contributes to an educational environment where the preeminence of White culture, history, and pedagogy is allowed to continue and leaves minimal room for effective continued learning. Additionally, there is little opportunity for White teachers to acknowledge their participation in the continuation of stereotypes and silencing of underrepresented voices in the classroom and curriculum. Harris (1993) echoed the dangers of this predominance and denial of White privilege, stating:

> In ways so embedded that it is rarely apparent, the set of assumptions, privileges, and benefits that accompany the status of being white have become a valuable asset that whites

> sought to protect...Whites have come to expect and rely on these benefits, and over time these expectations have been affirmed, legitimated, and protected by the law. (p. 1713)

Intensive training in Whiteness studies and multicultural education is not an integral part of most traditional teacher preparation programs. Yet, the major concern with the charter school certification process remains that these processes were intended, like charter schools themselves, to address the gaps within traditional public education; instead, this process will only continue training teachers who are underprepared and underqualified to appropriately address the needs of the students in their classrooms and to challenge the White hegemonic structures controlling education and socioeconomic opportunities.

While allegedly created to fill teacher shortages and thus improve the educational outlook of students in underserved and low-staffed schools, a shortened teacher preparation track has become another means to maintain White hegemonic control that has existed since the creation of public education. This alternative route fails to provide any acknowledgement or means to address the problematic racial, socioeconomic, and gender structures that oppress so many students (Stitzlein, 2018). The lack of requirements found in this shortened pathway increases the likelihood that this damaging approach will be even stronger. While this particular policy was created by the Charter School Committees primarily to address teacher shortages in New York City, the implication statewide must also be closely examined, as the majority of charter schools in New York serve students in economically depressed urban areas such as Buffalo, Rochester, and New York City neighborhoods, such as Brooklyn and the Bronx (New York State Education Department Charter School Office, 2018). The deskilling and Whiteness issues that feature so prominently in education become more prevalent with policy maneuvers such as this and others that seek to circumnavigate the already minimal training teachers receive to equip them to teach in high need areas.

Proponents, Opponents, and Who Benefits: Who is Really Interested and Affected by this Change?

Proponents use the vagueness of Education Law §355(2-a) language to argue that the State University of New York authorized charters can create their own internal teacher certification program. The language adopted by the Assembly and Senate states that the law "promulgate[s] regulations with respect to the governance, structure and operations of charter schools that are authorized by the SUNY Board of Trustees" (New York State Education Department, 2017, p. 4). Therefore, the new law appears to authorize a set of regulations that govern SUNY authorized charters (Marlette, 2016). The State University of New York asserts that due to the difficulty in finding high quality teachers, the language in Education Law §355(2-a) gives SUNY the governance or jurisdiction to determine the statues of certification for charter schools (Disare, 2018).

Opponents of Education Law §355(2-a) allege that charter schools already have leeway based on Education Law §2854(3)(a-1), which provides charter schools with significant flexibility to hire certain numbers of:

> Uncertified teachers with at least three years of elementary, middle or secondary classroom teaching experience, tenured or tenure track college faculty, individuals with two years of satisfactory experience through the Teach for America program and individ-

> uals who possess exceptional business, professional, artistic, athletic, or military experience. (New York State Education Department, 2017)

Moreover, Part 80 of the Regulations gives additional flexibility in which qualified candidates obtain a Transitional B certificate allowing them to teach as the teacher of record until they are fully certified (New York State Education Department, 2017).

While originally designed to address shortcomings and failures in the public school system, charter schools have often found themselves struggling to address the same challenges and not faring much better than the public schools (Hull, 2018). Charter schools are known for high turnover rates, including 41% of teachers compared to 18% of district school teachers when examining schools across New York State (Katz, 2017). As cited by Strauss (2017), scholars such as Ladson-Billings who have long examined education trends and teaching professions point out that not only are teachers certified through alternative routes less qualified and prepared, but they also are two to three times more likely to leave teaching. Charter school teachers and leaders typically have lower salaries and less job security while engaging in a 24/7 work culture focused on competition and pressure (Jabbar, Sun, Lemke, & Germain, 2018). Other factors include compensation not comparable to the public-school system and lack of mentoring, tenure or union protection, and professional development. In the words of New York State Commissioner, MaryEllen Elia, and New York State Board of Regents, Betty A. Rosa:

> It is imperative for policymakers to remember that no parent wants their child to be assigned to a classroom teacher who has not had the best training and demonstrated that he/she has the knowledge, skills, and disposition necessary to ensure their child's success. (New York State Education Department, 2017, p. a-1)

While Rosa's statement rings true at the surface level, the difference in understanding between public opinion of what qualifies as "best" teachers and what pedagogically constitutes an effective teacher often do not synchronize. The flurry of assessments and evaluation reforms that have been introduced in an effort to quantify a definition of "best" or highly effective teachers (Disare, 2018) serves as evidence for this struggle to equate the public's view with what an effective educator should be – well trained in subject matter and pedagogy, critical of oppressive structures that maintain socioeconomic inequities, and engaged in continual reflection and action to dismantle these structures through the power of education.

A key factor to consider when addressing this issue is the persons or entities involved. The SUNY Charter Schools Committee is an independent body, which authorizes and regulates 185 of the 282 operational charter schools in New York State. Additionally, the State Education Department and Board of Regents have both joined in the aforementioned complaint, filing on the grounds that "the regulations violate existing education law and the committee violated the State Administrative Procedure Act when approving them," as both the Board of Regents and State Education Department are heavily involved in determining and shaping teacher certification pathways (Clukey, 2018, n.p.).

A substantial, perhaps more financially invested group to be considered is the large amount of teacher colleges and preparatory programs, both public and private, which exist in New York State. The teacher colleges must maintain the quality, recruiting ability, and investment of their programs based on the qualified candidates they produce. Although the SUNY system has decreased their already limited amount of teacher preparatory programs, these programs would still maintain a

vested interest in changes of teacher preparatory requirements. This ultimately leads to questions regarding SUNY's motivation in this decision. Should the implementation of this alternative charter school specific qualification come about (as a much cheaper and less time-consuming option), these institutions and programs would experience a drastic negative impact.

A particularly powerful group of education policy players in New York is the New York State United Teachers (NYSUT), which largely is recognized as one of the most powerful unions in the country. As the union has been engaged in countless battles over accountability, testing scores, qualifications, and requirements (Clukey & Shapiro, 2018), this new alternative pathway for charter school teachers presented by this legislation will no doubt encroach upon their quest to continue to promote teaching regarded as a highly skilled, highly qualified profession that is deserving of the pay, benefits, and recognition for which they have fought.

Although it is almost never in public interest to defend these groups, student loan corporations would have a vested interest in the implementation of this alternative certification route. New modes of teacher certification would undoubtedly decrease the amount of potential pre-service teachers utilizing loan services to complete full teacher education programs, who may instead opt for cheaper, quicker charter school qualifications (Student Loan Options for Teachers, 2017). While the authors of this paper certainly are not intrinsically concerned with immediate negative impacts on these companies, it is important to remember that student loan companies wield significant political power and could potentially have serious involvement in lobbying for certain certification processes, as well as changing specific loan forgiveness programs that many teachers in both public and charter schools utilize and benefit from (Holmes & Docey, 2018). Certainly, the K-12 system, both public and private, would have a certain stake in these proceedings, as public schools would not be able to take direct advantage of this shortened route to fill their vacancies, but they may have a tangential interest because of the risk of potentially employing underqualified individuals who have gained their experience and certification in such a manner.

The population of involved individuals that is most significant, however, are the students and parents who inevitably will be affected by this legislation. Many families who choose to attend charter schools do so to enact their own sense of agency and control with the end goal being a higher quality of education and opportunity than the one planned for them at their original educational institution (Vasquez Heilig, Williams, McNeil, & Lee, 2011). If charter schools are allowed to employ underqualified, inexperienced educators, the effort of these self-advocating families and individuals will be waylaid and only further compound their educational struggles. These vulnerable populations and the inherent socioeconomic stagnation and structural impediments enforced by the education system are crucial to examine and expose, which will be done in the following section.

Recommendations and Implications for Policymakers and Practitioners

By implementing the alternative certification avenue that avoids addressing substantial multicultural and equity issues in teacher education, a system is developed that undermines the quality and rigor of the teaching profession. More importantly, it increases a hegemonic culture that devalues and degrades student opportunities for an equitable education. The declared intention of the creation of Education Law §355(2-a) purportedly is to address the teacher shortage in New York State that particularly plagues urban districts in which charter schools tend to be located. The additional

unintended consequences of this bill potentially create tension with the NYSUT, as the profession increasingly is scrutinized and deskilled. Given that the majority of their efforts in the past decades have been to build the professionalism, credibility, and training of New York State certified teachers, legislation like this stands in direct opposition to their already beleaguered efforts.

This legislation, while not advertised as such, creates, maintains, and solidifies the structural barriers that sustain socioeconomic stratification of marginalized and underserved populations. Immediate recommendations would be to revoke the recently passed bill and to review current teacher certification structure and requirements. If this effort proves unsuccessful, it remains for local educators, administrators, and other involved parties to take personal responsibility for protecting the interests and education of their student populations. Given the relatively decentralized nature of education, there is a fair amount of room for public educators to push for equity training and multicultural awareness within their districts and educational settings.

This can be achieved through purposeful multicultural training, continued interaction with political decision makers, and extensive advocacy work through unions, activist groups, coalitions, and other avenues of democratic expression and appeal. Pedagogy requirements should be considered from a nuanced perspective that considers issues of socioeconomic equity and cultural responsiveness. SUNY and the associated governing bodies need to restructure and create certification regulations that both educate teachers to work in diverse environments and provide meaningful practices that address all facets of teacher education. These governing bodies also should be held accountable for their decisions, and the lack of consideration they hold for the needs and edification of their student and teacher populations. Accountability groups must be composed of vested parties (such as parents, educators, students, and researchers) that are not politically appointed and are empowered to remove corrupt parties and to change legislation within these structural systems. These changes, while difficult to implement, are crucial for the success and essential education of the student population within New York State.

Conclusion

Teacher accountability and the accompanied shortages are giving charter schools an opportunity to use legislation as a crux to expedite the teacher certification process. The political climate, which ever favors a neoliberal agenda with a heavy emphasis on free-market capitalism, is aiding charter schools in bypassing rigorous certification processes. This climate, in addition to the pervasive attitudes of Whiteness that permeate teacher education programs and pedagogy, serves to exacerbate and increase the Taylorization and deskilling of the teaching force. These factors, added to this alternative pathway to certification, will lead to further oppression and limited opportunities for populations historically subjected to these struggles and obstacles. The educational policy and practice recommendations given help ensure that teacher certification processes strive toward a high quality, rigorous pathway so all students, especially high-needs students, are being taught by the most qualified, highly trained education professionals who are prepared to challenge, address, and reform the inequitable education system. If the certification process is devalued and minimized, the profession as a whole will continue to be devalued while sustaining social inequities already dominating the New York State educational system.

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